

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFF SINGER

Plaintiff,

-against-

GARY LOGSDON, TYLER THOMPSON and
KURT MAIER,

Defendants.

Civil Action No.: 7:07-cv-11087

**STIPULATION STAYING
ACTION PENDING SALE**

WHEREAS, on November 7, 2007, Plaintiff, Jeff Singer ("Plaintiff"), commenced an action by filing the above-entitled action in the Supreme Court of the State of New York, County of Westchester, Index No. 07-23099 ("State Action") to recover damages in relation to the purchase, sale and ownership of a thoroughbred horse named Teuflesberg; and

WHEREAS, on December 7, 2007, the Defendants, Gary Logsdon, Tyler Thompson and Kurt Maier (collectively "Defendants"), pursuant to 28 U.S.C. §§ 1332, 1367, 1441 and 1446, filed a Joint Notice of Removal with the Clerk of Court for the United States District Court for the Southern District of New York thereby removing the State Action from the Supreme Court of the State of New York, County of Westchester, to the United States District Court for the Southern District of New York; and

WHEREAS, on December 14, 2007, your Honor so ordered a stipulation granting Defendants an extension of time, through and including January 11, 2008, in which to answer,

move, or otherwise respond to the Complaint in this matter to allow the parties to continue with their settlement negotiations; and

WHEREAS, the Plaintiff and Defendants (collectively "Parties") have executed a Memorandum of Understanding of Settlement Relating to Agreement for Sale of Teuflesberg, whereby, *inter alia*, the Plaintiff will dismiss, with prejudice, this matter upon satisfaction of the conditions set forth therein, including the sale of Teuflesberg; and

WHEREAS, the Parties anticipate the sale of Teuflesberg is forthcoming.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for Plaintiff, Jeff Singer, and for Defendants, Gary Logsdon, Tyler Thompson and Kurt Maier, that this action shall be stayed, including the time within which the Defendants may answer, move, or otherwise respond to the Complaint in this matter. At the election of any party, the party who so elects shall give the other party 30 days written notice after which the stay shall be lifted.

Dated: January 11, 2008

LAW OFFICES OF WILLIAM HART

By: William Hart
William Hart, Esq.
Attorneys for Plaintiff,
Jeff Singer
700 White Plains Road
Scarsdale, New York 10583
Phone: (914) 472-7280
Fax: (914) 472-7285

DEWEY & LEBOEUF LLP

By: Robert J. Alessi
Robert J. Alessi, Esq. (RA4268)
Attorneys for Defendants Kurt Maier,
Tyler Thompson and Gary Logsdon
99 Washington Avenue, Suite 2020
Albany, New York 12210-2820
Phone: (518) 626-9000
Fax: (518) 626-9010

IT IS SO ORDERED.

Dated: January 14, 2008
White Plains, NY

Charles L. Bricant
Hon. Charles L. Bricant
United States District Court Judge
Southern District of New York